



Wednesday, March 2, 2016
Minutes of the Regular Meeting of the
Joint City Council/Redevelopment Successor Agency

CALL TO ORDER

A Regular Meeting of the South Pasadena Joint City Council/Redevelopment Successor Agency was called to order by Mayor Mahmud on Wednesday, March 2, 2016, at 7:35 p.m., in the Amedee O. "Dick" Richards, Jr., Council Chamber, located at 1424 Mission Street, South Pasadena, California.

ROLL CALL

Present: Councilmembers/Redevelopment Successor Agency Members Joe, Khubesrian, and Schneider; Mayor Pro Tem/Agency Vice Chair Cacciotti; and Mayor/Agency Chair Mahmud.

Absent: None.

City Staff

Present: Sergio Gonzalez, City Manager/Agency Executive Director; Teresa L. Highsmith, City Attorney/Agency Counsel; Evelyn G. Zneimer, City Clerk/Agency Secretary; Anthony J. Mejia, Chief Deputy City Clerk/Chief Deputy Agency Secretary were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

INVOCATION

Councilmember Schneider gave the invocation.

PLEDGE OF ALLEGIANCE

The Arroyo Vista Elementary Student Council led the Pledge of Allegiance.

RECESS TO RECEPTION

At 7:40 p.m., a recess for refreshments and cake was taken in celebration of the City of South Pasadena's 128th Anniversary. The City Council reconvened at 7:45 p.m., with all members present.

CLOSED SESSION ANNOUNCEMENTS**1. Closed Session Announcements**

The Regular Closed Session of the City Council of March 2, 2016, was called to order by Mayor Mahmud at 6:00 p.m., with all Councilmembers present, except Mayor Pro Tem Cacciotti.

The meeting convened into Closed Session to discuss the following items as listed on the Closed Session Regular Meeting Agenda:

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Pursuant to Government Code Section 54956.9(a):

Name of case: Mark Nansen, et. al. v. City of South Pasadena, et. al. Case No. BC543533

- B. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Pursuant to Government Code Section 54956.9 (d)(4):

Number of Cases: 2

- C. CONFERENCE WITH LEGAL COUNSEL – PROPERTY NEGOTIATIONS, Pursuant to Government Code Section 54956.8:

Property: Northeast corner of El Centro Street and Mound Avenue (APN 5315-003-901)

Agency Negotiators: City Manager Sergio Gonzalez and City Attorney Teresa L. Highsmith

Negotiating Parties: Jonathan Genton, Genton Property Group

Under Negotiation: Price and Terms of Payment

- D. CONFERENCE WITH LEGAL COUNSEL – PROPERTY NEGOTIATIONS, Pursuant to Government Code Section 54956.8:

Property: 1503-1507 El Centro Street (APN 5315-003-903 & 5315-003-904); and Southwest corner of El Centro Street and Edison Lane (APN 5315-003-902)

Agency Negotiators: City Manager Sergio Gonzalez and City Attorney Teresa L. Highsmith

Negotiating Parties: Jonathan Genton, Genton Property Group

Under Negotiation: Price and Terms of Payment

City Attorney Highsmith reported that City Council provided direction to staff regarding the agendaized Closed Session Item Nos. A and B, but did not take any reportable action; advised that City Council will reconvene into Closed Session to discuss Closed Session Item Nos. C and D immediately following the Regular Business Meeting.

PRESENTATIONS

2. Presentation by the City of South Pasadena Renewable Energy Council regarding a Tour of City Water Facilities

William Kelly, Chair, Renewable Energy Council, narrated a PowerPoint presentation entitled "Renewable Energy Council January 30, 2016, Tour of City Facilities"; reviewed the Renewable Energy Council's (REC) tour of City facilities including Wilson Reservoir, Garfield Reservoir, and City Hall; explained that the REC is considering the feasibility of installing solar panels on the City's facilities.

3. Presentation of a Proclamation declaring March 7, 2016, as "Arbor Day" in the City of South Pasadena

Mayor Mahmud presented a Proclamation to William Kelly, representing the Renewable Energy Commission, and Stephanie Payne-Campbell, representing South Pasadena Beautiful, declaring March 7, 2016, as "Arbor Day" in the City of South Pasadena.

COMMISSION APPOINTMENTS

4. Commission Appointments

MOTION BY COUNCILMEMBER JOE, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 5-0, to appoint Lawrence Sin to the Youth Commission as the Community-at-Large Member for a full two-year term ending June 30, 2018.

COMMUNICATIONS

5. Councilmembers Communications

Councilmember Joe provided an update of the City's urban forest, noting that the next grid tree pruning is scheduled to begin March 2016; stated that the optimal tree planting season is during the spring and that approximately 55 new trees will be planted Citywide.

Councilmember Khubesrian requested that City Council agendaize, for future consideration, discussion of the City's position on the Los Angeles County's sales tax Measure R2, seconded by Councilmember Schneider.

Councilmember Schneider reported on his attendance at the Renewable Energy Council meeting, noting that its recommendations will likely be brought forward to City Council in the next few months.

Mayor Pro Tem Cacciotti spoke on the overwatering of the lawn at 1414 Fremont Street and requested that staff send a warning letter to the property owner; noted that over a dozen individuals were in line at the South Pasadena Library before opening on Sunday, opining that it demonstrates the value of the library to the community; reported on his attendance at the Library Board of Trustees meeting, noting that they were discussing the draft Library Operations Study; requested that City Council agendaize a status update on the City's Food Redistribution/Zero Food Waste Policy, seconded by Mayor Mahmud; expressed gratitude to local leaders for their support of his recent re-appointment to the South Coast Air Quality Management District (SCAQMD); spoke on the grand opening of the Gold Line Foothill Extension, encouraging residents to ride the Gold Line and to attend grand opening activities.

Mayor Mahmud reported on her attendance at the City Selection Committee which considered the appointments to the SCAQMD; advised that as a representative of the Los Angeles Chapter of the League of California Cities, she recently met with Assembly Speaker-Elect Anthony Rendon to discuss homelessness, storm water, and transportation; noted that she made a presentation to the South Pasadena Chamber of Commerce regarding her top three priorities for the City; expressed gratitude to the organizers of the Mayor's Prayer Breakfast, noting that the event was not sponsored by the City nor were City funds expended for the event; apologized to residents for any misapprehension regarding separation of church and state, advising that she has requested that organizers rename the event to the South Pasadena Community Prayer Breakfast.

6. City Manager Communications

City Manager Gonzalez announced that the Council Chamber was recently outfitted with an Audio Induction Loop to assist those that are hearing impaired to continue to actively participate during meetings; encouraged residents to register and participate in the CoolCalifornia Challenge, noting that efforts to conserve energy and water could earn the City of South Pasadena the title of being the "coolest" City in California; encouraged residents to participate in a Community Forum on the budget and priorities to be held on March 12, 2016, at the Library Community Room.

7. Reordering of and Additions to the Agenda

City Manager Gonzalez recommended removal of Item 18, regarding the Mayoral term, from the agenda. Councilmember Khubesrian voiced objection to removing Item 18 from the agenda, citing that residents are in attendance at tonight's meeting to discuss the matter and learn about the intent of the item, seconded by Mayor Pro Tem Cacciotti.

Mayor Mahmud advised that Item No. 18 will be reordered and considered prior to Item No. 14.

PUBLIC COMMENTS

Jake Waclaw, South Pasadena resident, urged City Council to prohibit use of rubber mulch; voiced concern that rubber mulch emits volatile organic compounds (VOC) impacting the health of children and pets; advised that his landlord removed the grass lawn after receiving a warning regarding overwatering and replaced it with rubber mulch.

David Beadle, South Pasadena resident, thanked Mayor Mahmud for addressing the Mayor's Prayer Breakfast, noting that he was offended believing that the City had sponsored a religious event; opined that using the Mayoral title in relation to a religious event is an abuse of power and inappropriate; questioned whether City staff in attendance were there during working hours; questioned whether the organizer's nonprofit will modify its name to eliminate use of the Mayoral title.

Linda Poore, South Pasadena resident, spoke on the need for pickleball courts in South Pasadena; explained that pickleball is a new sport similar to tennis and can be played by all ages regardless of athletic ability; requested that City Council encourage Community Services to explore bring pickleball to South Pasadena.

Christopher Sutton, Attorney for the Nansen family, stated that the Nansen family desires to resolve the ongoing litigation and to continue to reside in their home; stated that the retaining walls installed by the Nansen family assist in preventing mud slides; reported that the Los Angeles County Metropolitan Transportation Authority (Metro) is beginning to refine projects to be including in Measure R2, noting that the SR 710 North Extension has not yet been eliminated.

Theresa Sherman, South Pasadena resident, stated that she was offended by the Mayor's Prayer Breakfast, noting that South Pasadena is a diverse community; questioned whether hosting of the event infringed on the separation of church and state; opined that the event should not be held in the future.

Mayor Mahmud advised that as the current Mayor she is recommending that the organizers change the name of the event; stressing that since it is not a City sponsored event, the City does not have the authority to require the organizers to modify the event name.

Shlomo Nitzani, South Pasadena resident, advised that the Public Works Department disagrees with his recommendation that right turns not be permitted from the middle lane onto Orange Grove Avenue from Mission Street; opined that it is an unsafe maneuver and action should be taken to prevent accidents; noted that it was recommended that a signal light be installed at Orange Grove Avenue and Mission Street, yet no action has been taken.

CONSENT CALENDAR

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the Consent Calendar Item Nos. 8, 9, 10, 11, and 12, with Item No. 13 pulled for separate consideration.

8. Prepaid Warrants, General City Warrants, Redevelopment Successor Agency Check Summary, and Payroll

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the City of South Pasadena Prepaid Warrants Nos. 192239 through 192282 in the amount of \$687,743.09; General City Warrants Nos. 192283 through 192400 in the amount of \$179,407.44, and Payroll, dated February 26, 2016, in the amount of \$415,229.17. Seated as the Successor Agency to the Community Redevelopment Agency, approve Payroll, dated February 26, 2016, in the amount of \$5,818.46 (included in the above totals).

9. Second Reading and Adoption of an Ordinance Amending Chapter 2 (Administration) of the Municipal Code to Establish a Finance Commission

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to adopt Ordinance No. 2294 entitled "An Ordinance of the City Council of the City of South Pasadena, California, amending Chapter 2 (Administration) of the South Pasadena Municipal Code, with the addition of a new Article IVI to create the Finance Commission," and waive further reading.

10. Discretionary Fund Request From Mayor Pro Tem Cacciotti in the Amount of \$200 for the Purpose of Artwork for the City of South Pasadena Public Works Building

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the discretionary fund request by Mayor Pro Tem Cacciotti designating \$200 for the purpose of having the South Pasadena Arts Council (SPARC) provide artwork for the City of South Pasadena Public Works building on El Centro Street.

11. Adoption of a Resolution Renewing a General Services Agreement with the County of Los Angeles

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to:

1. Approve a five year general services agreement with the County of Los Angeles.
2. Adopt Resolution No. 7450 entitled "A Resolution of the City Council of the City of South Pasadena, California, authorizing renewal of a five (5) year general services agreement with the County of Los Angeles."

12. Adoption of a Resolution Approving the Fiscal Year 2016-17 Administrative Budget for the Successor Agency

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, for the City Council, seated as the Successor Agency to the South Pasadena Community Redevelopment Agency (“Successor Agency”) to adopt Resolution No. 2016-02 SA entitled “A Resolution of the Successor Agency to the Community Redevelopment Agency of the City of South Pasadena, California, adopting an administrative budget for the Successor Agency for Fiscal Year 2016-17.”

ITEM REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

13. Adoption of a Resolution to Destroy Expired Records, Per the City of South Pasadena Records Retention Schedule

In response to City Council inquiry, Chief Deputy City Clerk Mejia advised that City Council Correspondence, as listed on the records destruction list, primarily consists of periodicals and generic incoming mail.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, adopt Resolution No. 7451 entitled “A Resolution of the City Council of the City of South Pasadena, California, approving the destruction of certain City records from the Management Services Department.”

ACTION/DISCUSSION

18. Discussion Regarding Length of Mayoral Term

City Manager Gonzalez presented the staff report.

Mayor Mahmud opened the Public Comment period.

Kim Hughes, South Pasadena resident, stated that she perceived that consideration was being given to reducing the Mayoral term to nine months; opined that nine months is not enough time for a new Mayor to appreciate the role and responsibilities of the position; opined that there could be impacts to continuity with City Boards and Commissions and regional bodies.

Gretchen Robinette, South Pasadena resident, voiced concern that reducing of the Mayoral term will impact staff time to assist a new Mayor and cause City Council reorganization to occur more frequently.

Ron Rosen, South Pasadena resident, pointed out that each of the past Mayors have served a term of one year; pointed out there is no guarantee that any one Councilmember will have the opportunity to serve as Mayor.

There being no others desiring to speak on this item, Mayor Mahmud closed the Public Comment period.

Councilmember Schneider opined that the matter should be re-agendized for City Council discussion, noting in the past, selection of the Mayor has caused consternation amongst the City Council.

Councilmember Joe expressed a desire to learn more about neighboring cities' mayoral terms and to further discuss the issue at a future meeting.

Councilmember Khubesrian opined that there is not a justification for modifying the Mayoral term, noting that there is no guarantee that any one particular Councilmember will be given the opportunity serve as Mayor.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECONDED BY MAYOR PRO TEM CACCIOTTI, FAILED 2-3 (COUNCILMEMBERS SCHNEIDER AND JOE AND MAYOR MAHMUD VOTING NO), to take no action to modify the Mayoral term.

The City Council agreed that no additional information is needed and the matter should be re-agendized for discussion at a future City Council meeting.

PUBLIC HEARING

14. Public Hearing and Adoption of a Resolution Amending Master Schedule of Fees for the Community Services Department for Fiscal Year 2016-17

Community Services Supervisor Hakobian presented the staff report and responded to City Council inquiries.

Mayor Mahmud opened the Public Hearing.

Christopher Sutton, Pasadena resident, questioned whether there is a nexus between the cost to provide services and the amount charges by Transtech Engineers, Inc., for building and safety services; urged that City Council examine the citywide fee schedule during its annual update.

Emelia Lomeli, South Pasadena resident, asserted that South Pasadena is not affordable for moderate- to low-income individuals; stated that the South Pasadena Unified School District is lacking after-school activities; advised that she is supportive of establishing a City Commission to address affordable housing; voiced opposition to the request to modify the schedule of fees.

There being no others desiring to speak on this item, Mayor Mahmud closed the Public Hearing.

MOTION BY MAYOR MAHMUD, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 5-0, to adopt Resolution No. 7452 entitled "A Resolution of the City Council of the City of South Pasadena, California, amending the Master Schedule of Fees for the Community Services Department for Fiscal Year 2016-17," with the modification that the volunteen registration fee be eliminated.

ACTION/DISCUSSION**15. Authorize a Letter of Opposition to Senate Bill 876 (Liu), Enforcement of Local Ordinances Regarding Homelessness**

Police Captain Solinsky presented the staff report and responded to City Council inquiries.

Mayor Mahmud opened the Public Comment period.

Kim Hughes, South Pasadena resident, voiced support for opposing Senate Bill (SB) 876, noting that the language is vague and that the City has received little funding to assist with homelessness.

There being no others desiring to speak on this item, Mayor Mahmud closed the Public Comment period.

Mayor Mahmud noted that Senate Pro Tem De León will be proposing legislation to fund housing for the homeless; opined that SB 876 will hinder the Police Department's ability to ensure quality of life for residents.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 5-0, to authorize submitting a letter opposing Senate Bill 876 (SB 876), Enforcement of Local Ordinances regarding homelessness.

16. Consideration of Developing Local Campaign Contribution Limits

Chief Deputy City Clerk Mejia presented the staff report and responded to City Council inquiries.

Mayor Mahmud opened the Public Comment period.

Gavin Wasserman, member of the Fair Political Practices Commission (FPPC), commended the City Council for exploring the possibility of adopting a local Campaign Contribution Limits Ordinance; advised that the FPPC and Legislature will be reviewing the Political Reform Act and desires to hear from local jurisdictions regarding improvements. In response to City Council inquiry, Mr. Wasserman encouraged the City Council and staff to contact the FPPC to learn more about enforcement of regulations.

William Sherman, South Pasadena resident, voiced support for establishing a local Campaign Contribution Limit of \$250 and utilizing similar prohibitions as the City of Cudahy; expressed support for a one dollar per resident voluntary expenditure limit; suggested that the City Council should also explore term limits.

There being no others desiring to speak on this item, Mayor Mahmud closed the Public Comment period.

In response to City Council inquiries, City Attorney Highsmith advised that the City Council is limited to prohibiting the solicitation and acceptance of campaign contributions; advised that the City Council may establish a prohibition of accepting campaign contributions from public employees.

In response to City Council inquiries, Chief Deputy City Clerk Mejia and City Attorney Highsmith advised that alleged violations of a local ordinance would be investigated by the City Attorney's Office, as the FPPC will not take enforcement responsibility for local regulations.

Mayor Mahmud expressed support for adopting regulations which prohibits the solicitation and acceptance of contributions from business in contract with the City.

Councilmember Khubesrian expressed support for utilizing the City of Cudahy as a model ordinance and to move forward with a \$1,000 campaign contribution limit.

Mayor Pro Tem Cacciotti expressed support for the City of Cudahy model ordinance, recommending that the three month prohibition regarding the granting of permits or rendering a decision be increased to a one year prohibition.

Councilmember Schneider expressed support for establishing a campaign contribution limit of \$250, suggesting that it will help ensure that local campaigns remain affordable.

Mayor Mahmud noted that City contract are often multi-year and therefore a prohibition should be enacted from accepting campaign contribution from any company that is currently doing business with the City; suggested that a contribution limit of \$500 be established.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 5-0, utilize the City of Cudahy's Campaign Contribution Limit ordinance as a model ordinance with the addition that there be a prohibition against acceptance of campaign contributions from business or individuals under contract with the City.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 3-2 (COUNCILMEMBER SCHNEIDER AND MAYOR MAHMUD VOTING NO), to limit individual campaign contribution to \$1,000.

17. Consideration of Modifying Eligibility Requirements for City Boards, Commissions, and Committees

Chief Deputy City Clerk Mejia presented the staff report.

Mayor Mahmud opened the Public Comment period.

Kim Hughes, South Pasadena resident, voiced opposition to modifying eligibility requirement to allow non-electorate resident to service on City advisory bodies; opined that requiring elector status may serve as an incentive for residents to become citizen in order to more fully participate in government.

Ron Rosen, South Pasadena resident, pointed out that of surveyed cities; a majority of cities require elector status to become a member of its advisory body; noted that residents may serve on advisory bodies as a precursor to running for elective office and that a non-elector would be ineligible to run for office; opined that eligibility requirements should not be modified unless there is a shortage of qualified applicants.

There being no others desiring to speak on this item, Mayor Mahmud closed the Public Comment period.

In response to City Council inquiry, Chief Deputy City Clerk Mejia explained that on occasion, there may be a shortage of qualified applicants for specific advisory bodies, in which case staff will conduct additional recruitment efforts; advised that if eligibility requirements are modified that in lieu of checking voter registration that a criminal background check be conducted prior to appointment.

Mayor Mahmud suggested that eligibility requirements should be amended to allow the City Council to appoint the best qualified applicants to serve on City advisory bodies, regardless of voter status.

Councilmember Khubesrian suggested that staff monitor the applicant pool for one year to determine any changes are necessary.

Following discussion, MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to maintain the existing eligibility requirements for City of South Pasadena Boards, Commissions, and Committees.

19. Consideration of Developing a Code of Ethics and Values

Chief Deputy City Clerk Mejia presented the staff report and responded to City Council inquiries.

Mayor Mahmud conveyed support for adopting a Code of Ethics and Values, noting that the City Council and advisory bodies directly or indirectly impact property owner rights and the such a Code could be used to help guide decision making; noted that the proposed Codes are simple and utilize personalized statements.

Councilmember Schneider voiced support for the City of Watsonville model Code of Ethics and Values, noting that it is simpler and clear.

Councilmember Khubesrian recommended that additional statements regarding open and transparent communication be added in the final South Pasadena Code of Ethics and Values.

Mayor Mahmud opened the Public Comment period.

Kim Hughes, South Pasadena resident, opined that adopting of a Code of Ethics and Values is an important issue that desires additional public input; suggested establishing an ad hoc committee to review and comment on a Code of Ethics and Values.

There being no others desiring to speak on this item, Mayor Mahmud closed the Public Comment period.

Councilmember Khubesrian suggested that the Code of Ethics and Values address the issues of taking on issues that do not require City action or are outside of its jurisdiction.

City Manager Gonzalez suggested that the City Council adopt a Code of Ethics and Values via a City Council resolution; suggested that residents provide input on the City's draft Code of Ethics and Values at the upcoming Community Forum; recommended that if City Council desires to add verbiage related to taking on issues that are outside of the City Council's purview, that it be added to the City Council's Protocols.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 5-0, to develop a Code of Ethics and Values for the City of South Pasadena utilizing the City of Watsonville's model Code of Ethics and Values with the addition of verbiage related to open and transparent communication.

RECESS TO CLOSED SESSION

The City Council recessed to Closed Session at 10:40 p.m.

ADJOURNMENT

Mayor Mahmud adjourned the Joint City Council/Redevelopment Successor Agency meeting at 11:20 p.m.



Evelyn G. Zneimer
City Clerk



Diana Mahmud
Mayor

Minutes approved by the South Pasadena City Council on March 16, 2016.